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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 **Herlen Delgado Solis,**)
11) Case No: 2:10-cv-01742-RLH-LRL
12 **Plaintiffs,**)
13 **vs.**)
14)
15 **Eric Holder, U.S. Attorney General,**) MOTION FOR EXTENSION OF
16 **Alejandro Mayorkas, Director, U.S.**) TIME TO RESPOND TO
17 **Citizenship and Immigration Services,**) PLAINTIFF'S COMPLAINT
18 **Janet Napolitano, Secretary of the**) (First Request)
19 **Department of Homeland Security,**)
20 **Daniel M. Renaud, Director, USCIS**)
21 **Vermont Service Center, Robert Cowan,**)
22 **Director, USCIS National Benefits**)
23 **Center,**)
24 **Defendants.**)
25 _____)

26 Comes now federal defendants by and through Daniel G. Bogden, United States
Attorney and Carlos A. Gonzalez, Assistant United States Attorney and respectfully request a
forty four (44) day extension of time, up to and including January 31, 2011, to file a response to
Plaintiff's petition. In support of this request for an extension of time, Defendants rely upon the
Memorandum of Points and Authorities set forth below.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Plaintiffs filed their complaint on October 18, 2010. An answer to the complaint would
3 be due on December 17, 2010. Defendants request that this honorable Court grant a forty-four
4 (44) day extension of time, up to and including, January 31, 2011.

5 The Office of Immigration Litigation (OIL) of the Civil Division of the Department of
6 Justice in Washington D.C., the Department of Homeland Security in Phoenix, Arizona and the
7 United States Attorney's Office in Las Vegas, Nevada have assigned counsel to undertake the
8 governments defense in the instant civil action.

9 The expertise of these offices in different aspects of the litigation need to be coordinated
10 to properly analyze the factual and legal issues presented to properly draft and file the most
11 appropriate pleading to plaintiffs complaint.

12 This necessary coordination between offices and end of year employment requirements
13 and matters for government employees have made impossible the filing of the complaint by the
14 due date.

15 Compounding the problem, undersigned counsel has been outside of the District on
16 business and personal reasons. Counsel for OIL is presently on medical leave for the remainder
17 of the year.

18 This request is made prior to the expiration of the time permitted to respond to the
19 Petition and will not prejudice Plaintiffs.

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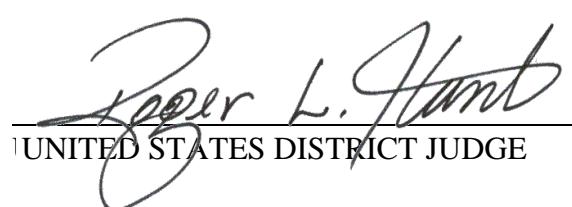
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1 It is therefore respectfully requested that the court grant defendants an extension of forty
2 four (44) days to and including January 31, 2011, in which to file an answer or appropriate
3 pleading to Plaintiffs' Complaint.

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6 DATED: 17TH day of December 2010.
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DANIEL G. BOGDEN
United States Attorney

9 /s/ Carlos A. Gonzalez
10 Carlos A. Gonzalez
11 Assistant United States Attorney
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14 IT IS SO ORDERED:

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16 _____
17 UNITED STATES DISTRICT JUDGE
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19 DATED: December 21, 2010
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1 **PROOF OF SERVICE**
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I, Carlos A. Gonzalez, certify that the following individual was served the **MOTION**
FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT (First
Request) on this date by the below identified method of service:
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7 **CM/ECF Notification**
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Seth L. Reszko
Reza Athari & Associates. PLLC
6235 S. Pecos Road, Suite 109
Las Vegas, NV 89120
Email: atharilaw@earthlink.net

DATED: December 17, 2010

13 /s/ Carlos A. Gonzalez
14 Carlos A. Gonzalez
15 Assistant United States Attorney
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